

## **EXHIBIT A**

IN THE UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT

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No. 14-11250-AA

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ADELE FOX,  
individually and on behalf of a class of similarly situated,  
SUZANNE STONE MARSHALL,  
ADELE FOX,  
MARSHA PESHKIN,  
RUSSELL OASIS,

Plaintiffs-Appellants,

versus

JERRY M. PICOWER ESTATE,  
through it's Executor, William D. Zabel,  
BARBARA PICOWER,  
individually and as Trustee for the Picower  
Foundation and for the Trust  
f/b/o Gabrielle H. Picower,  
CAPITAL GROWTH COMPANY,  
DECISIONS, INC.,  
FAVORITE FUNDS, et al.,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Southern District of Florida

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Before: TJOFLAT, MARCUS, and WILSON, Circuit Judges.

BY THE COURT:

The jurisdictional issue raised by appellees' motion to dismiss appeal for lack of jurisdiction is CARRIED WITH THE CASE. The parties may further address the jurisdictional issue in their briefs to the extent they deem necessary or appropriate.

Appellants' "Motion for an Injunction Pending Appeal" is DENIED.

Appellants' "Motion for Expedited Appeal" is DENIED.

Pamela Goldman and A & G Goldman Partnership's ("Goldman") motion for leave to intervene in this appeal for the purpose of seeking the disqualification of Becker & Poliakoff LLP "as counsel for the putative class" is DENIED. Goldman's alternative request for this Court to "remand the disqualification issue for determination in the District Court" is DENIED. We express no opinion regarding the merits of the disqualification issue, which is outside of the scope of this appeal.

Appellants' request for this Court to "impose sanctions on the Beasley Firm" for filing a frivolous motion is DENIED.

The Clerk is directed to treat any motion for reconsideration of this order as a non-emergency matter.

**UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT**

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING  
56 Forsyth Street, N.W.  
Atlanta, Georgia 30303

John Ley  
Clerk of Court

For rules and forms visit  
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May 07, 2014

Helen Davis Chaitman  
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Appeal Number: 14-11250-AA  
Case Style: Adele Fox, et al v. Jeffry Estate, et al  
District Court Docket No: 9:10-cv-80252-KLR

**This Court requires all counsel to file documents electronically using the Electronic Case Files ("ECF") system, unless exempted for good cause.**

The enclosed order has been ENTERED.

Sincerely,

JOHN LEY, Clerk of Court

Reply to: Eleanor M. Dixon, AA  
Phone #: (404) 335-6172

MOT-2 Notice of Court Action